

Lance Pope

From: Lance Pope
Sent: Wednesday, April 20, 2022 8:45 AM
To: Walton, David
Cc: Uppal, Pavneet; Grisham, Greg; Jean Neveling; Jeremy Cothorn
Subject: RE: Proposed Ridley Stip Injunction 4.18.22(43780070.1)

David –

I have reviewed the proposed stipulated injunction you prepared. Mr. Ridley does not agree with the terms you have submitted and does not agree that a preliminary injunction is warranted in this matter.

In support of his position, I want to layout the steps taken by Ridley to insure he does not possess any EcoLab or Nalco materials, and to preserve any and all evidence that could even possibly demonstrate his alleged access or possession of Ecolab documents.

1. Upon Ridley's resignation from EcoLab – he returned his work laptop and his external Lacie hard drive to EcoLab pursuant to EcoLab's instructions. The Lacie hard drive included all documents Ridley downloaded from EcoLab's file share system during his employment. I understand that EcoLab subsequently formatted and redistributed Ridley's laptop and now cannot locate the Lacie drive.
2. Ridley backed up his EcoLab computer to an external hard drive prior to the company having an online back-up system. When Ridley discovered those files, he deleted them from the personal hard drive. Logicforce / Frontline has forensically imaged Ridley's personal hard drive. I am in possession of the physical hard drive.
3. After his resignation from EcoLab, Ridley discovered old EcoLab logo flash drives he used for miscellaneous tasks while employed at EcoLab. He returned the flash drives to his prior counsel Ryan Holt, who had Logicforce / Frontline forensically image them, and then returned the flash drives to EcoLab per its instructions.
4. Ridley's subsequent employer, ChemTreat, issued Ridley a laptop at two different times during his employment and an Apple iPhone. Ridley returned all of those devices per ChemTreat's instructions to ChemTreat or its forensic expert for safeguarding and preservation after his employment with ChemTreat ended. He no longer is in possession of any devices issued to him by ChemTreat.
5. Ridley obtained a download of his personal Hotmail account. The download of his Hotmail account is preserved.
6. Ridley sent his wife's laptop to Logicforce / Frontline to have the hard drive forensically imaged at his own expense. He took this precautionary step because his wife's ownership of the laptop overlapped with some periods of his employment at EcoLab.

Ridley is in possession of no other computers or digital devices that accessed any of EcoLab's digital devices or its one drive file storage system. To Ridley's knowledge, he is not in possession of any EcoLab documents.

Ridley is currently not employed. He has not caused, and is not currently causing, EcoLab any damages.

Unless EcoLab has strong evidence that Ridley continues to possess and use Ecolab's documents to damage EcoLab, then its filing of a motion for a preliminary injunction would appear to be intended merely to harass and drive up the cost of Mr. Ridley's defense thereby subjecting EcoLab to sanctions under Fed. R. Civ. P. 11(c).

If EcoLab has legitimate evidence to support a contrary position, please provide that evidence to me so that we may address any issues without utilizing our respective clients' resources and the court's time litigating an unnecessary motion.

Thanks

LWP



Lance W. Pope

Attorney

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From: Lance Pope

Sent: Monday, April 18, 2022 6:50 PM

To: Walton, David <dwalton@fisherphillips.com>

Cc: Uppal, Pavneet <puppal@fisherphillips.com>; Grisham, Greg <ggrisham@fisherphillips.com>; Jean Neveling <jneveling@pbsjlaw.com>

Subject: RE: Proposed Ridley Stip Injunction 4.18.22(43780070.1)

David –

Thanks for preparing and sending this over. I'll review and get back with you no later than Wednesday.

LWP



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From: Walton, David <dwalton@fisherphillips.com>

Sent: Monday, April 18, 2022 5:56 PM

To: Lance Pope <lpope@pbsjlaw.com>

Cc: Uppal, Pavneet <puppal@fisherphillips.com>; Grisham, Greg <ggrisham@fisherphillips.com>

Subject: Proposed Ridley Stip Injunction 4.18.22(43780070.1)

Lance –

Hope you had an enjoyable weekend.

I am attaching a draft Stipulated Preliminary Injunction for your client's consideration. Please let us know as soon as possible if your client agrees to this. We are confident that our proposed injunction is the most efficient path forward for both parties.

If we do not hear from you by COB on Wednesday, we will need to seek redress from the Court.

Please let me know if you would like to discuss.

Best,

Dave



David Walton

Partner

Fisher Phillips

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